

Practitioner's Docket No. NA11P157/00.091.01

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Martin J. Lucas et al.

Application No.: 09/678,010

Group No.: 2131

Filed: October 3, 2000

Examiner: Chen, S.

For: PROVIDING BREAK POINTS IN VIRUS SCANNING OPERATION

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NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
(37 C.F.R. § 1.191)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed June 3, 2004, finally rejecting claims 1-30.

I. STATUS OF APPLICANT

This application is on behalf of other than a small entity.

CERTIFICATION UNDER 37 C.F.R. " 1.8(a) and 1.10"
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I hereby certify that, on the date shown below, this correspondence is being:

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37 C.F.R. § 1.8(a)

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37 C.F.R. § 1.10*

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TRANSMISSION

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Date:

9/27/2004

Erica L. Farlow
Signature

Erica L. Farlow
(type or print name of person certifying)

* Only the date of filing (" 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under " 1.8 continues to be taken into account in determining timeliness. See " 1.703(f). Consider "Express Mail Post Office to Addressee" (" 1.10) or facsimile transmission (" 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

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2. **FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. § 1.17(b), the fee for filing the Appeal Brief is:

Other than a small entity	\$330.00
Notice of Appeal fee due	\$330.00

3. **EXTENSION OF TERM**

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for one month:

Fee	\$110.00
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If an additional extension of time is required, please consider this a petition therefor.

4. **TOTAL FEE DUE**

The total fee due is:

Notice of Appeal fee	\$330.00
Extension fee	\$110.00

TOTAL FEE DUE \$440.00

5. **FEE PAYMENT**

Authorization is hereby made to charge the amount of \$440.00 to Deposit Account No. 50-1351 (Order No. NA11P157).

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this transmittal is attached.

6. **FEE DEFICIENCY**

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 50-1351 (Order No. NA11P157).

Reg. No.: 41,429
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Signature of Practitioner
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